



V.J. ST. PIERRE, JR.
PARISH PRESIDENT

KIM MAROUSEK, AICP
PLANNING DIRECTOR

ST. CHARLES PARISH

DEPARTMENT OF PLANNING & ZONING

14996 RIVER ROAD • P. O. BOX 302 • HAHNVILLE, LOUISIANA 70057

(985) 783-5060 • FAX (985) 783-6447

Website: www.stcharlesparish-la.gov

TO: V.J. St. Pierre, Jr., Parish President

FROM: Kim Marousek, AICP, Director of Planning & Zoning

SUBJECT: 2011 Annual Report

The Department of Planning & Zoning is the agency responsible for administering the regulation of present land uses, planning future land uses, and for the issuance of building permits and activity permits within St. Charles Parish. The Department also oversees and assists the Planning & Zoning Commission, the Zoning Board of Adjustments and the Coastal Zone Advisory Committee, all of which are public bodies charged with administering land use regulation beyond the Departmental scope. Because the responsibilities are varied, the Department is divided into four sections in order to provide specialized services to the citizenry. **Land Use Planning & Zoning** manages land uses for residential and commercial development, reviews the Subdivision and Zoning Ordinance regulations, and makes recommendations for amendments as needed. **Permit Administration** is responsible for the issuance of building and activity permits within St. Charles Parish. **Code Enforcement** enforces the zoning code, grass ordinance, trash and debris ordinance and abatement of unsafe structures. **Coastal Zone Management** is charged with the management of coastal and wetland activities and floodplain management through wetland permit review, wetland mitigation, project administration and wetland and floodplain code enforcement.

In 2011, there was a slight reduction in the number of new residential lots created over 2010 totals and a small increase in the number of permits issued. Toward the end of the year there were several indicators of a more active 2012. But during 2011 Department facilitated the completion of a Comprehensive Land Use Plan "St. Charles 2030: Bridge to the Future" which was approved by the Parish Council in June. And due to the strong public involvement process that took place over a 2-year period, the Plan was awarded the Excellence Award for a Plan from the Louisiana Chapter of the American Planning Association (APA). Having an updated land use plan in place help will lay the foundation for future growth policies as shaped by the vision of the St. Charles Parish community. The Department also applied for and received a

\$442,422.00 grant from the Housing and Urban Development for a corridor study of Paul Maillard Road. This is a 2 year study that will follow the same process as the award-winning Comp Plan was facilitated and in fact was one of the recommended projects detailed in the Comp Plan.

Accompanying this memo is a copy of the 2011 Annual Report for the Department of Planning & Zoning. The report covers the following major functions of the Department:

- I. Land Use Planning
 - A. Code Revisions
 - B. Zoning District Changes
 - C. Subdivision Activity
- II. Permitting
 - A. Permits Issued
 - B. Variance Requests
- III. Code Enforcement Activity
- IV. Coastal Zone Management
- V. Other Projects

The Department is charged with regulating present and future land uses in the Parish. Duties and responsibilities are divided into the following sections:

Land Use Planning & Zoning: This sector has the responsibility of managing land use for commercial and residential development as well as continually reviewing the Parishes' Subdivision and Zoning regulations and making necessary recommendations for amendments.

Permit Administration: This sector is responsible for reviewing applications and issuing construction and non-construction permits. Construction permits include requests for new construction, additions to existing structures, accessory structures, mobile homes, and swimming pools. Non-construction permits include requests for home occupations, taxi services, signs, change of use, and change of occupancy. The permitting section requires compliance with the state and local construction codes.

Code Enforcement Administration: This sector is charged with the enforcement of zoning code, grass ordinance, trash and debris ordinance and abatement of unsafe structures. This includes the identification of violations, response to complaints and permit inspection.

Coastal Zone Management: This sector is charged with the management of coastal and wetland activities and floodplain management. Duties include wetland permit review, wetland mitigation, project administration and wetland and floodplain code enforcement.

I. LAND USE PLANNING

As outlined in the Home Rule Charter the Department of Planning & Zoning is the regulatory agency responsible for all land use planning within St. Charles Parish. Departmental staff, the Planning & Zoning Commission, the Zoning Board of Adjustments and the Coastal Zone Advisory Committee in accordance with the Code of Ordinances, administers land use regulation.

A. 2011 Zoning Ordinance and Subdivision Regulation Revisions: Land use regulations are continually evaluated to meet the needs of St. Charles Parish. In 2011, the following amendments to the Code of Ordinance was evaluated by the Department and approved by the St. Charles Parish Council:

- Ordinance 11-5-2: To amend the Zoning Ordinance Section VI. D. [I.] c. to permit vehicular racing on land zoned M-1 as a Special Permit upon approval by the Planning and Zoning Commission and Supporting Resolution by the St. Charles Parish Council.
- Ordinance 11-4-30: To amend the Code of Ordinances Appendix A (Zoning), Section XIV Amendments and Petitions and Appendix A, Section XV Amendment Procedure, to modify the reporting and recommendation requirements.
- Ordinance 11-5-10: To amend the Code of Ordinances Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section IV. General provisions. 5. Fences.
- Ordinance 11-6-11: To adopt and implement St. Charles Parish 2030, the Comprehensive Land Use Plan.

B. 2011 Zoning District Changes: In addition to revising the text of the Subdivision Regulations and Zoning Ordinance, the Department also processes rezone requests which result in Zoning Map amendments. After Departmental review, these requests are forwarded to the Planning Commission for a recommendation. Afterwards, the case is forwarded to the Council for final vote to approve or deny. Rezoning cases are forwarded to the Council because rezoning is a change to the Zoning Map and thus is an amendment to the Ordinance. Amendments to the Ordinance can only be made if there is a majority Council vote. In 2011, the Department processed 11 requests for rezoning of property.

Rezoning Cases, 5-Year Trend

Year	Applications Submitted	P&Z Commission Decisions		Parish Council Decisions	
		Approved	Denied	Approved	Denied
2011	11	8	3	8	2
2010	17	7	8	7	7
2009	23	14	5	12	6
2008	10	3	6	4	1
2007	23	11	9	16	2

One (1) case with a recommendation of denial by the Commission was subsequently postponed indefinitely by the Council.

C. 2011 Subdivision Activity: The Department is responsible for administering all residential and commercial land partitions within St. Charles Parish in accordance with the procedures and design standards of the Subdivision Ordinance. Per the Comprehensive Land Use Plan the Parish has approximately 1,200 vacant platted residential lots in the parish that could be developed in the future.

Major Subdivisions: Major subdivisions are any resubdivision actions resulting in more than five (5) lots, and / or containing a proposed street, and / or requiring infrastructure improvements. If infrastructure is required, the action is processed through a formal process consisting of three major steps: Preliminary Plat, Construction Approval, and Final Approval/Dedication of Infrastructure. A developer requests approval of the conceptual design of a subdivision by submitting a Preliminary Plat showing street and lot layout. The Department analyzes the impacts the proposal might have on the surrounding community and infrastructure. When the conceptual design meets the design standards of the Subdivision Regulations, the Planning and Zoning Commission may approve the Preliminary Plat. In the event the concept cannot meet certain design standards, the developer may request a waiver from specific regulations. In this case, the Parish Council also must approve the Preliminary Plat in the form of a Supporting Resolution. Those subdivisions approved by the Commission not requiring infrastructure are forwarded to the Council. If approved by the Council, the subdivision plat is filed with the Clerk of Court.

Once a Preliminary Plat for a subdivision requiring infrastructure is approved, the developer has six months to submit engineering plans to the Department. The plans are forwarded to the following departments: Public Works & Wastewater for review of sewer and drainage infrastructure, Waterworks for review of water plans, Contract Monitor for streetlight plans, and Parks & Recreation for review of the recreation land and fee obligations. After those Directors approve the engineering plans, the developer may request Construction Approval from the Planning and Zoning Commission. When the approval is granted, developers generally begin construction of infrastructure immediately. After building the infrastructure and certifying that it meets the Parish's standards, the developer submits a Final Plat and formal documents to dedicate the infrastructure for public use. Once the Parish Council accepts this Final Plat and files it with the Clerk of Courts, the developer is then authorized to sell lots.

While there were no major subdivisions receiving Final Approval, at the end of the year there was one being prepared for the Final Approval process. The Department anticipates acceptance of this subdivision in early 2012.

Final Approval With 5-Year Comparison

Year	Subdivisions	Number of Lots
2011	0	0
2010	0	0
2009	2	53
2008	3	165

2007	6	336
2006	6	487

2011 Preliminary Plat and Construction Approvals

One (1) major subdivision received Construction Approval in 2011: *Casa de Killona* with 20 lots. No requests for Preliminary Plat Approval were submitted in 2011.

Minor Subdivisions/Administrative Resubdivisions: The majority of applications received by the Department for land partitions result in five or fewer lots and do not require requiring infrastructure improvements. Subdivision Regulations specifies two procedures for completing these Minor Resubdivisions. The first procedure entails a minor subdivision resulting in a net increase of lots. These require Planning and Zoning Commission approval and Parish President's signature before filing with the Clerk of Court. The Department refers to these as "minor subdivisions."

The second minor subdivision does not result in a net increase of lots but creates the same number of or few lots than what originated. Such requests typically result in minor adjustments of existing lot lines or result in a net reduction in the number of lots. They do not require public hearing before the Commission; only the signatures from the Planning & Zoning Director and the Parish President before Clerk of Court filing. These applications are identified as "Administrative Resubdivisions."

Resubdivision	Applications Processed	Lots Created or Modified
Minor	9	23
Administrative	22	29
Total	31	52

One (1) of the 9 Minor Resubdivision applications was not forwarded to the Planning & Zoning Commission. There were 13 fewer minor application requests than there were in 2010.

II. PERMITTING

A. Permits issued: As outlined in the Home Rule Charter, the Department of Planning & Zoning is the regulatory agency responsible for the issuance of building permits and activity permits within St. Charles Parish.

2011 Select Permit Activity with Five Year Comparison

Permit Type	2011 Total	2010 Total	2009 Total	2008 Total	2007 Total	2006 Total
New Residential	67	57	108	100	122	563
Additions	145	117	133	172	164	253
Mobile Homes	58	50	64	104	58	172
Commercial	45	40	14	23	12	25
Industrial	2	1	2	1	2	5

Religious	0	2	0	0	0	1
Multi-Family	0	0	0	0	3	15
Medical	2	1	0	0	0	0
Educational	5	5	3	1	0	0
Swimming Pools	38	31	36	37	55	62
Change of Use	127	82	112	102	116	135
Totals	483	386	472	540	503	1231

There was also a moratorium issued by the Parish President in December 2011 on the issuance of Taxicab Licenses so that the Parish can review Chapter 22.5 of the Code of Ordinances and to establish Rules and Regulations for that Chapter.

B. Variance Requests: The St. Charles Parish Code of Ordinances states that approval or denial of any permit application shall be based on the compliance with all pertinent regulations. Occasionally, density, spatial or other requirements affect a property adversely, generally because of an irregularity with the property. When enforcement would result in any such unnecessary hardship, the Code stipulates that the property owner may request relief from the Zoning Board of Adjustments (ZBA). The ZBA holds regularly scheduled public meetings to review such requests and decides each case with a majority vote. In 2011 the ZBA considered 17 individual cases requesting variances from the following Code requirements:

2011 Variance Requests Presented to the ZBA

Regulations To:	Total	Approved	Denied
Setbacks-Front Yard	4	4	0
Setbacks-Rear Yard	7	7	0
Setbacks-Side Yard	7	7	0
Base Flood Elevation	1	1	0
Additional Mobile Home	1	1	0
Parking/Hard Surface	1	1	0
Maximum Sign Area	1	1	0

III. CODE ENFORCEMENT

The Department of Planning & Zoning is tasked with enforcing a number of sections of the Parish Code of Ordinances. In order to increase both effectiveness and efficiency within the code enforcement sector of the Department, a geographical district is assigned to each Code Enforcement Officer who responds to all activity within that area. Code Enforcement Officers investigate general nuisance complaints ranging from grass to abandoned automobile concerns and violations. They monitor residential and commercial construction, additions and swimming pool installations as mandated in the Code. In 2011 there were a total of 1,170 nuisance complaints received—462 were specific code complaints and 708 were specific grass complaint. The Code Enforcement Officers were able to resolve 940 with the remaining still active.

In 2011 the Parish issued 73 commercial/institutional permits. Of those, 30 were new commercial starts (a 48% increase from 2010). The total of new commercial construction starts is approximately \$28.2 million (construction value). We also issued 137 change of occupancy permits (a 67% increase from 2010) and issued 365 trade permits (electrical, plumbing, mechanical). The Parish also demolished 42 blighted structures in 2011. Of those 37 were voluntary demolitions and 5 were from executed court judgments.

Other activities are detailed in the chart below.

2011 Code Enforcement Activity

Permits Issued	1160
Permits Finaled	833
Active Permits (1/1/11- 12/31/11)	131
Total Complaints Received	1170
Code Related	462
Grass Related	708
Complaints Resolved	940
Complaints Active	118
On-Site Inspections	4160
Demolition Permits issued	69
Derelict vehicles tagged / removed	23
Illegal signs removed	1036
Cases Forwarded to Legal	19
Legal Resolved cases	20

IV. COASTAL ZONE MANAGEMENT

Christmas Trees: The Coastal Zone Management Section completed the 2010/2011 Christmas Tree Project in the Simoneaux Pond Area in Bayou Gauche Area. Approximately 2200 Christmas Trees were collected and place in the open water to serve as a wake breaker, and to build land and pens were built to handle next years' trees. The project was completed in May 2011.

St. Charles Parish has continued to fund the Program through at least 2012. The Louisiana Department of Natural Resources has stood firm on their decision to stop funding for Christmas Tree Fences, and have not budgeted for future projects.

Coastal Impact Assessment Program (CIAP):

The Lake Pontchartrain Shoreline Protection Project continued this year with the design and engineering work for the 2 projects. Working with LaPlace Consulting Services and Moffat and Nichols, the Pontchartrain Levee District has proceeded to design of the 2 projects. Permitting for the West LaBranche Shoreline Project is well under way and we should have the

permit in hand by late spring 2012. Start of Construction for The West LaBranche project should begin late summer 2012.

The East LaBranche project engineering is nearing completion, and preliminary permit discussions are starting with the various agencies.

Wetland Watchers' Park:

The second Phase of WWP is under construction. This phase will consist of more parking, a canoe/kayak launch, a canoe storage building, 900' additional feet of walking trail, another outdoor classroom and a dock on Bayou LaBranche. Additionally a new fence and decorative gateway will welcome people to the park. The park is proving very popular and should become more so once the warm weather of 2011 begins.

Bonne Carre' Boat Launch Rehabilitation:

Surveying, geotechnical and engineering and permitting were nearing completed in late spring 2011 for new dock and asphalt parking. The project was bid and Frickey Brothers was the apparent low bidder. As the contract was about to be let by the parish council, the Mississippi River rose to the point that the Bonnet Carre Spillway was opened. When the flood water receded the launch was revealed to show a great deal of damage to the ramp itself. The project will proceed after we determine how to repair the damaged ramp, likely in early 2012.

V. OTHER PROJECTS

In addition to the regulated responsibilities the Department of Planning & Zoning collaborates with all departments of parish government as we work together to improve life in St. Charles Parish.

South Central Regional Construction Code Council

In conjunction with the new Building Code Plan Review and Inspection contract with South Central Regional Planning, the Planning Department represents St. Charles Parish on this Board which is comprised of all Parishes represented by South Central Planning for compliance with Louisiana State Uniform Construction Codes. This board meets quarterly to discuss any issues that arise regarding compliance with construction codes.

GIS

Staff completed GIS files for the Parish's zoning and existing land uses in 2009. Since 2010, staff has been establishing address points in the GIS address database as well as verifying same. The existing land use data was used by the Comprehensive Land Use consultant team to identify trends and note areas for future growth potential. Files are updated regularly as changes occur and can be used to make maps for many purposes. While the addressing phase nears completion, parcel verification and updating was begun in mid-2011.